

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,) CASE NO. CR 20-092 JCC
)
Plaintiff,)
)
v.) DETENTION ORDER
)
JOEGE MONDRAGON,)
)
Defendant.)
_____)

Offense charged in Superseding Indictment:

Count 1: Conspiracy to Distribute Heroin, Methamphetamine, and Fentanyl

100 grams or more of a mixture or substance containing a detectable amount of heroin

Date of Detention Hearing: August 7, 2020.

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

- (1) The Pretrial Services Office views defendant as a risk of danger due to the nature of the presently alleged offense, prior criminal history involving assaults and firearms offenses, and substance abuse concerns. PTS also view him as a risk of nonappearance based upon his extensive history of failures to appear, outstanding warrants, pending charges, history of noncompliance with court orders, unstable residential history, and substance abuse issues. The court agrees with all these conclusions, which are amply documented in the record.
- (2) With due respect, however, the court does NOT agree with PTS that there are conditions of release which would reasonably assure the safety of others and the community, and defendant's future appearances.
- (3) The United States presented strong credible evidence that another member of the alleged conspiracy asked this defendant to kill a person, for non-payment of a drug debt, and defendant agreed to do so. The request was later changed to crippling the victim instead of killing him.
- (4) When law enforcement sought to arrest defendant, he attempted to escape, discarding a firearm as he ran.
- (5) When arrested, he told agents he was under influence of heroin, which required them to take him the hospital. He was able to escape from the hospital, however.
- (6) A loaded, stolen pistol was found in his bed.

(7) Defendant admits he smokes methamphetamine every other day. He does not see his drug use as a problem, however, and does not believe that he needs any drug treatment.

(8) The Superseding Indictment creates a rebuttable presumption of detention. Defendant presented some evidence attempt to rebut that presumption. He proposes to live with his mother and younger sister, and to look for employment. His counsel argues that the COVID 19 pandemic will impede defendant's ability to work with his counsel in the preparation of a defense; is likely to delay the trial date unduly; and that detention might pose risks to defendant's health. Despite these arguments, however, defendant's past conduct, and particularly his failures to comply with court orders and conditions of supervision, make the evidence in support of detention overwhelming.

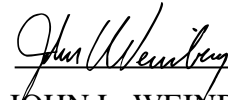
It is therefore ORDERED:

1. Defendant shall be detained pending trial and committed to the custody of the Attorney General for confinement in a correction facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;
2. Defendant shall be afforded reasonable opportunity for private consultation with counsel;
3. On order of the United States or on request of an attorney for the Government, the person in charge of the corrections facility in which defendant is confined shall deliver

01 the defendant to a United States Marshal for the purpose of an appearance in
02 connection with a court proceeding; and

- 03 4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel
04 for the defendant, to the United States Marshal, and to the United States Pretrial
05 Services Officer.

06 DATED this 7th day of August, 2020.

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09 JOHN L. WEINBERG
10 United States Magistrate Judge
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